



Shire of Dardanup

CONFIRMED

MINUTES

OF THE

**SPECIAL
COUNCIL MEETING**

HELD

8th of April 2026

AT

ADMINISTRATION CENTRE EATON
1 Council Drive - EATON

This document is available in alternative formats such as:
~ Large Print
~ Electronic Format [emailed]
Upon request.

VISION STATEMENT

“The Shire of Dardanup is a healthy, self-sufficient and sustainable community, that is connected and inclusive, and where our culture and innovation are celebrated.”

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COUNCIL ROLE

Advocacy	When Council advocates on its own behalf or on behalf of its community to another level of government / body /agency.
Executive/Strategic	The substantial direction setting and oversight role of the Council e.g. Adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
Legislative	Includes adopting local laws, town planning schemes and policies.
Review	When Council reviews decisions made by Officers.
Quasi-Judicial	<p>When Council determines an application/matter that directly affects a person’s rights and interests. The Judicial character arises from the obligations to abide by the principles of natural justice.</p> <p>Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g.: under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</p>

DISCLAIMER

“Any statement, comment or decision made at a Council or Committee meeting regarding any application for an approval, consent or licence, including a resolution of approval, is not effective as an approval of any application and must not be relied upon as such.

Any person or entity that has an application before the Shire must obtain, and should only rely on, written notice of the Shire’s decision and any conditions attaching to the decision and cannot treat as an approval anything said or done at a Council or Committee meeting.

Any advice provided by an employee of the Shire on the operation of a written law, or the performance of a function by the Shire, is provided in the capacity of an employee, and to the best of that person’s knowledge and ability. It does not constitute, and should not be relied upon, as a legal advice or representation by the Shire. Any advice on a matter of law, or anything sought to be relied upon as a representation by the Shire should be sought in writing and should make clear the purpose of the request.”

RISK ASSESSMENT

Inherent Risk	The level of risk in place in order to achieve the objectives of the Council and before actions are taken to alter the risk’s impact or likelihood.
Residual Risk	The remaining level of risk following the development and implementation of Council’s response.
Strategic Context	These risks are associated with achieving Council’s long-term objectives.
Operational Context	These risks are associated with the day-to-day activities of the Council.
Project Context	<p>Project risk has two main components:</p> <ul style="list-style-type: none"> • Direct refers to the risks that may arise as a result of project, which may prevent the Council from meeting its objectives. • Indirect refers to the risks which threaten the delivery of project outcomes.

SHIRE OF DARDANUP**MINUTES FOR THE SHIRE OF DARDANUP SPECIAL COUNCIL MEETING HELD ON WEDNESDAY, THE 8TH APRIL 2026, AT ADMINISTRATION CENTRE, 1 COUNCIL DRIVE, EATON.****1 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS**

The Presiding Member, Cr T G Gardiner, declared the meeting open at 4:00pm, welcomed those in attendance and referred to the Disclaimer, Acknowledgement of Country, Emergency Procedure and the Affirmation of Civic Duty and Responsibility on behalf of Councillors and Officers:

Acknowledgement of Country

The Shire of Dardanup wishes to acknowledge that this meeting is being held on the traditional lands of the Noongar people. In doing this, we recognise and respect their continuing culture and the contribution they make to the life of this region and pay our respects to their elders, past, present and emerging. The Shire of Dardanup also respects and celebrates all cultures of all our residents and visitors to our Shire.

Emergency Procedure

In the event of an emergency, please follow the instructions of the Chairperson who will direct you to the safest exit route. Once outside, you will be directed to an appropriate Assembly Area where we will meet (and complete a roll call).

Affirmation of Civic Duty and Responsibility

Councillors and Officers of the Shire of Dardanup collectively declare that we will duly, faithfully, honestly and with integrity fulfil the duties of our respective office and positions for all the people in the district according to the best of our judgement and ability. We will observe the Shire's Code of Conduct and Standing Orders to ensure efficient, effective and orderly decision making within this forum.

Recording of Meetings

In accordance with Section 5.23A of the Local Government Act 1995, and Part 2A of the Local Government (Administration) Regulations 1996, video or audio recordings of Council meetings apply to all Ordinary and Special Council Meetings of the Shire of Dardanup. All recordings will be retained as part of the Shire of Dardanup records and will be made available to the public via the Shire of Dardanup Website, excluding recordings of matters that Council take Behind Closed Doors

2 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED

2.1 Attendance

- Cr Tyrrell G Gardiner - Elected Member (Shire President)
- Cr Stacey L Gillespie - Elected Member (Deputy Shire President)
- Cr Bradley S Farrant - Elected Member
- Cr Anthony C Jenour - Elected Member
- Cr Krystal A Laurentsch - Elected Member
- Cr Ruby J Trevathan - Elected Member

- Mr André Schönfeldt - Chief Executive Officer
- Mrs Natalie Hopkins - Director Corporate & Governance Services
- Mr Theo Naudé - Director Infrastructure
- Mrs Lily Webb - Executive Support Officer
- Mrs Cindy Barbetti - Acting Manager Governance

2.2 Apologies

- Cr Luke W Davies - Elected Member
- Cr Mark R Hutchinson - Elected Member
- Cr Annette L Webster - Elected Member
- Mr Ashwin Nair - Director Development Services
- Mr Craig Johnson - Director Community & Economic Development

2.3 Leave of Absence

None.

2.4 Previous Meetings

DATE	TYPE	CR. L W DAVIES	CR. B S FARRANT	CR. T G GARDINER	CR. S L GILLESPIE	CR. M R HUTCHINSON	CR. A C JENOUR	CR. K A LAURENTSCH	CR. R J TREVATHAN	CR. A L WEBSTER
JANUARY 2026										
21/01/2026	AF	✓	✓	✓	✓	✓	Ap	✓	✓	Ap
28/01/2026	OCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
FEBRUARY 2026										
04/02/2026	CF	✓	✓	✓	✓	✓	✓R	Ap	✓	✓
18/02/2026	AF	✓	✓	✓	Ap	✓	✓R	✓	✓	✓
25/02/2026	OCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
MARCH 2026										
04/03/2026	CF	Ap	✓	✓	✓	Ap	Ap	✓	✓	✓
18/03/2026	AF	✓	✓	✓	Ap	✓	✓R	✓	✓	Ap
25/03/026	OCM	✓	✓	✓	LoA	✓	✓	✓	✓	✓

TYPE LEGEND	
AF	Agenda Forum
CF	Concept Forum
OCM	Ordinary Council Meeting
SCM	Special Council Meeting
WS	Workshop

ATTENDANCE LEGEND	
✓	Attendance
✓R	Remote Attendance
Ap	Apology
LoA	Leave of Absence
NA	Non Attendance

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

None.

4 PUBLIC QUESTION TIME

None.

5 APPLICATIONS FOR LEAVE OF ABSENCE

None.

6 PETITIONS/DEPUTATIONS/PRESENTATIONS

None.

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

[7.1 Ordinary Council Meeting Held on the 25th of March 2026](#)

The Minutes of the Ordinary Council Meeting held on Wednesday, 25th of March 2026 will be confirmed at the next Ordinary Council Meeting, to be held on Wednesday, 29th April 2026.

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

None.

9 ANNOUNCEMENTS OF MATTERS FOR WHICH MEETING MAY BE CLOSED

None.

10 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

None.

11 DECLARATION OF INTEREST

“Members should fill in Disclosure of Interest forms for items in which they have a financial, proximity or impartiality interest and forward these to the Presiding Member before the meeting commences.”

Key Management Personnel (which includes Elected Members, CEO and Directors) are reminded of their requirement to disclose biannually transactions between Council and related parties in accordance with Council Policy CnG CP039.

Note: Chairperson to ask Councillors and Staff if there are any Declarations of Interest to be declared.

12 REPORTS OF OFFICERS AND COMMITTEES**12.1 EXECUTIVE REPORTS**

None.

12.2 DEVELOPMENT SERVICES REPORTS

None.

12.3 COMMUNITY & ECONOMIC REPORTS

None.

12.4 INFRASTRUCTURE REPORTS

None.

CARRIED

6/0

FOR THE MOTION	AGAINST THE MOTION
Cr T G Gardiner	
Cr S L Gillespie	
Cr B S Farrant	
Cr A C Jenour	
Cr K A Lauretsch	
Cr R J Trevathan	

Background

At the Ordinary Council Meeting held on 25th February 2026, Council adopted the following resolution [Res: OCM 23-26]:

“THAT Council:

1. *Endorses, in principle, the purpose of the Refuse and Recycling Bin Replacement Reserve to include the purchase of new bins; and*
2. *Gives public notice to change the purpose of the Refuse and Recycling Bin Replacement Reserve.*

The purpose of the proposed change was to enable the use of reserve funds to support the purchase of new refuse and recycling bins required for the rollout of the compulsory Rural Kerbside Two Bin Waste Collection Service.”

In accordance with section 6.11(2)(a) of the Local Government Act 1995, public notice of the proposed change to the purpose of the Refuse and Recycling Bin Replacement Reserve was published in South West Times on 5th March 2026.

The public notice invited written submissions to be received by 6th April 2026. No submissions were received during the public consultation period.

Legal Implications

The public notice process has been completed in accordance with section 6.11(2)(a) of the *Local Government Act 1995*.

An absolute majority decision of Council is required to approve the change in purpose of the reserve. Once approved, the change will be disclosed in Council’s Annual Financial Report in accordance with section 6.11(4) of the Act.

Local Government Act 1995

6.8. *Expenditure from municipal fund not included in annual budget*

- (1) *A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —*
 - (b) *is authorised in advance by resolution*;*

6.11. *Reserve accounts*

- (1) *Subject to subsection (5), where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.*
- (2) *Subject to subsection (3), before a local government —*
 - (a) *changes* the purpose of a reserve account; or*
 - (b) *uses* the money in a reserve account for another purpose,**it must give one month’s local public notice of the proposed change of purpose or proposed use.*

** Absolute majority required.*

- (3) *A local government is not required to give local public notice under subsection (2) —
 - (a) where the change of purpose or of proposed use of money has been disclosed in the annual budget of the local government for that financial year; or
 - (b) in such other circumstances as are prescribed.*
- (4) *A change of purpose of, or use of money in, a reserve account is to be disclosed in the annual financial report for the year in which the change occurs.*
- (5) *Regulations may prescribe the circumstances and the manner in which a local government may set aside money for use for a purpose in a future financial year without the requirement to establish and maintain a reserve account.*

Council Plan

6.2 – Adopt innovative and more sustainable waste management solutions

13.1 – Adopt best practice governance

13.2 – Manage the Shire’s resources responsibly

14.2 – Ensure equitable, inclusive and transparent engagement and decision-making

Environment

Kerbside waste collection provides environmental benefits by supporting waste diversion and promoting improved resource recovery, facilitated through increased service convenience and accessibility for residents.

Budget Implications

The cost of the new bin acquisitions is estimated at \$50,400, based on the delivery of approximately 700 bins.

It is proposed that this expenditure be funded from the Refuse and Recycling Bin Replacement Reserve. Funding the acquisition from this reserve will not impact Council’s projected end-of-year financial position, as sufficient funds are available within the Reserve Account. The Refuse and Recycling Bin Replacement Reserve is forecast to have a closing balance of \$86,841 as at 30th June 2026, which is adequate to accommodate the proposed transfer.

Should Council not endorse the transfer from the Refuse and Recycling Bin Replacement Reserve, the expenditure would need to be funded from municipal funds, resulting in a reduction of the estimated year-end surplus by \$50,400.

Budget - Whole of Life Costs

The whole-of-life cost associated with this service will be ongoing, as the service is intended to be permanent.

As outlined in the Budget Implications section above, the recurrent financial impact will need to be considered annually as part of Council’s Long Term Financial Plan and Annual Budget deliberations to ensure continued sustainability and appropriate resourcing.

Council Policy Compliance

CnG CP018 – Corporate Business Plan & Long Term Financial Plan

Infr CP069 – Waste Management Policy

Risk Assessment

The Risk Management Governance Framework has been considered. As this report relates only to the completion of a statutory public notice process and confirmation of a reserve purpose, the inherent risk is assessed as Low. Please refer to (Appendix SCM: 12.5.1B) for full assessment document.

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.							
Report Title	Amendment to Purpose of Refuse and Recycling Bin Replacement Reserve – Outcome of Public Notice and Final Approval						
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)						
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.						
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.						
Risk Category Assessed Against	<table border="0"> <tr> <td>Financial</td> <td>If the Project is not funded from the Refuse and Recycling Bin Replacement Reserve, Council’s forecast end-of-year surplus will be negatively impacted.</td> </tr> <tr> <td>Legal and Compliance</td> <td>Drawing funds from the Reserve without proper Council approval may result in non-compliance with the Local Government Act 1995 and the Local Government (Financial Management) Regulations 1996.</td> </tr> <tr> <td>Reputational</td> <td>Incorrect budgeting or unauthorised use of reserve funds could negatively impact Council’s reputation with the community and stakeholders.</td> </tr> </table>	Financial	If the Project is not funded from the Refuse and Recycling Bin Replacement Reserve, Council’s forecast end-of-year surplus will be negatively impacted.	Legal and Compliance	Drawing funds from the Reserve without proper Council approval may result in non-compliance with the Local Government Act 1995 and the Local Government (Financial Management) Regulations 1996.	Reputational	Incorrect budgeting or unauthorised use of reserve funds could negatively impact Council’s reputation with the community and stakeholders.
Financial	If the Project is not funded from the Refuse and Recycling Bin Replacement Reserve, Council’s forecast end-of-year surplus will be negatively impacted.						
Legal and Compliance	Drawing funds from the Reserve without proper Council approval may result in non-compliance with the Local Government Act 1995 and the Local Government (Financial Management) Regulations 1996.						
Reputational	Incorrect budgeting or unauthorised use of reserve funds could negatively impact Council’s reputation with the community and stakeholders.						

Officer Comment

The completion of the public notice process, with no submissions received at the time of this report, enables Council to finalise the amendment to the purpose of the Refuse and Recycling Bin Replacement Reserve.

This amendment ensures the reserve can be used to support delivery of the Rural Kerbside Two Bin Waste Collection Service in a financially responsible and compliant manner.

Accordingly, an increase to the expenditure budget is required, with a corresponding increase to the transfer from the Refuse and Recycling Bin Replacement Reserve, ensuring compliance with the *Local Government Act 1995*.

END REPORT

12.6 COMMITTEE REPORTS

None.

13 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

None.

14 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

None.

15 PUBLIC QUESTION TIME

None.

16 MATTERS BEHIND CLOSED DOORS


None.

17 CLOSURE OF MEETING

The Presiding Member advised that:

- The next Ordinary Meeting of Council is to be held on Wednesday, 29th April 2026, commencing at 5:00pm at the Shire of Dardanup Administration Centre, Eaton.


There being no further business, the Presiding Member declared the meeting closed at 4:05pm.



Shire of Dardanup

CONFIRMATION OF MINUTES

“As the person presiding at the meeting at which these minutes were confirmed on 29th April 2026, I certify that these minutes have been confirmed as a true and accurate record of proceedings.

Signed: 

(Chairman or Shire President or Other Presiding Member)